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10/725,061	12/02/2003	Kazushi Sato	245990US6	2933
22850 7590 09/04/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER GE, YUZEEN				
ART UNIT		PAPER NUMBER		
2624				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/725,061

Applicant(s)

SATO ET AL.

Examiner

YUZHEN GE

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/11/2008 has been entered.

Examiner's Remark

Applicant's amendment, filed on June 11, 2008, has been received and entered into the file. Claims 1-11 are pending and claim 11 is new. Claims 1-10 have been amended.

Regarding applicant's argument that Butter does not describe that a search range is determined "by detecting motion vectors respectively within the plurality of sized-reduced reference images", the examiner disagrees. Butter clearly teaches detecting motion vectors respectively within the plurality of sized-reduced reference images (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 30-49).

Applicant's other arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 112

2. Claim 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-5 recite "in the determining" in the third limitation. It is not clear which "determining" it refers to since there are two usages of "determine" in the second limitation. For

examination purpose, the examiner will interpret “the determining” as the determining step of in second limitation. Claims 7-9 recite “the detecting” in claim 1. However there are two occurrences of “detecting” in claim 1. It is not clear which detecting it refers to.

3. Claim 7 recites the limitation “the motion vector difference”. There is insufficient antecedent basis for this limitation in the claim. The examiner will interpret it as “a motion vector difference” for examination purpose.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butter et al (US Patent 6,549,575) in view of Karczewicz et al (US Patent 6,950,469).

Regarding claim 1, Butter et al teach a method of compensating motion prediction relative to each of a plurality of motion compensating blocks formed by dividing an objective frame image of successive frame images using a plurality of reference frame images while sequentially changing pixel-based sizes of the plurality of motion compensating blocks (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49), the method comprising steps of:

thinning out pixels (down sampling 203 in Fig. 5) of a motion compensating block having a greatest pixel-based size (original size before down sampling) to be taken as an

uppermost layer of among blocks with smaller pixel-based sizes, to generate a size-reduced block in a lower layer having a predetermined size-reduction ratio (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49);

determining motion vector search ranges (col. 6, lines 59-67, the search range is based on the offset of the best down sampled match, col. 9, lines 9-14) respectively within the plurality of reference frame images, based on a plurality of size-reduced reference images (either I, or P images can be used as reference images, col. 5, lines 17-29, also a B picture have two reference images) reduced in size corresponding to the size-reduction ratio of the sized-reduced block (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49, the search window is considered to be the search range and is determined before the search is performed) by detecting motion vectors respectively within the plurality of sized-reduced reference images (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49) and increasing a size of the motion vectors (Fig. 5, col. 10, lines 11-22, the corresponding motion vector with half resolution search has sized that has been increased compared with down sample full pixel search or full pixel search, col. 10, lines 55-67) to determine motion vector search ranges with respect to the plurality of reference frames images which correspond to an increased size of the motion vectors (Figs. 5-7, col. 10, lines 11-22 and 55-67); and

detecting an optimal motion vector (the motion vector that minimizes the absolute difference, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49) while sequentially changing the pixel-based sizes of the plurality of motion compensating

blocks by using each of the motion vector search ranges determined in the determining (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49).

However they do not explicitly teach using linear interpolation to increase a size of the motion vectors. In the same field of endeavor, Karczewicz et al teach using linear interpolation to increase a size of a motion vector (Figs. 20, 21 and 22, col. 42, lines 12-51, when a motion vector is changed from a full resolution to a half resolution or quarter resolution, the size of the motion can be increased). It is desirable to enable more accurate modeling of real motion and help reducing the amount of information that must be transmitted from encoder to decoder and be efficient when performing motion compensation (col. 6 lines 35-40, col. 8, lines 14-23 of Karczewicz et al). Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention, to use the method of Karczewicz et al to linear interpolation to increase a size of motion vector so that more accurate representation of real motion is achieved efficiently.

Claims 10 and 11 are the corresponding apparatus claims of claim 1. Butter et al teach an apparatus (Fig. 1). Thus Butter et al and Karczewicz et al teach claims 10 and 11 as evidently explained in the above-cited passages.

Regarding claim 2, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 1. Butter et al further teach wherein the determining further includes determining the motion vector search ranges depending upon respective differences in pixel-based values from respective size-reduced reference images (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49).

Regarding claim 3, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 2. Butter et al further teach wherein the determining carries out block matching (abstract, col. 6, lines 13-23, col. 7, lines 2-6, col. 8, lines 24-29 and lines 38-49) on the size-reduced reference images with the size-reduced block, so as to determine the motion vector search ranges on the basis of an absolute-value sum of a difference between a pixel-based value within the size-reduced block and a pixel-based value within a block corresponding to the size-reduced block within a predetermined size-reduced reference image (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49). However Butter et al do not explicitly teach the determining step is carried out sequentially. Karczewicz et al teach sequentially encoding macroblock by macroblock during compression (col. 26, lines 49-54). It is desirable to simplify implementation of the encoder by processing macroblock sequentially. Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention to carry out block matching sequentially to simplify implementation.

Regarding claim 4, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 3. Butter et al further teach wherein the determining further includes determining the motion vector search ranges (col. 6, lines 59-67, Fig. 5) depending upon an absolute-value sum of differences between a pixel value of every other pixel with respect to a horizontal direction and a vertical direction of the size-reduced block and a pixel-based value within a corresponding portion of pixel-based values within the size-reduced block (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49, the

absolute difference depends on all the pixel values or the size-reduced block and therefore depends on the absolute-value sum of difference between a pixel value of every other pixel, also every other pixel of a $\frac{1}{4}$ reduced size block is used for evaluating the absolute difference for the $\frac{1}{16}$ reduced size block).

Regarding claim 5, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 3. Butter et al further teach wherein the determining further includes determining as one of the motion vector search ranges a peripheral pixel range including an enlarged lower layer motion vector enlarged from a lower layer motion vector (col. 6, lines 59-67, Fig. 5, the full pixel search after down sampled full pixel search enlarges motion vector) between a corresponding portion of pixels where an absolute-value sum of pixel-based values within the size-reduced block is minimum and the size-reduced block (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49).

Regarding claim 6, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 1, further comprising:

selecting only the motion vector search ranges within the size-reduced reference images in which a difference of pixel-based values is minimized from the respective size-reduced blocks of among motion vector search ranges within the size-reduced reference images determined in the determining (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49), wherein the detecting further includes detecting an optimal motion vector by using only the motion vector search ranges within the size-reduced reference images selected in

the selecting (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49, the motion vector is optimal because it minimizes the difference).

6. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butter et al in view of Karczewicz et al, further in view of Park et al (US Patent 5,825,930).

Regarding claim 7 (interpreted), Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 1. Butter et al further teach wherein: the detecting includes detecting the optimal motion vector depending on respective differences in pixel-based values between the size-reduced blocks and the size-reduced reference images (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, the search range is reduced each time a change is made, col. 8, lines 38-49). However they do not explicitly teach detecting the optimal motion vector depending on a quantizing scale function and a generation code amount for a motion vector differences. In the same field of endeavor, Park et al teach detecting the optimal motion vector depending on a quantizing scale function (col. 2, lines 15-20, Eq. (2), col. 3, lines 56-57, col. 1, lines 36-59, the SAD or MAE is dependent on a quantizing scale) and a generation code amount for a motion vector differences (col. 5, lines 6-23, col. 6, lines 7-42, Fig. 4). It is desirable to be efficient in compression (col. 2, lines 44-56 of Park et al). Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention, to use the method of Park et al to detect the optimal motion vector also depending on a quantizing scale function and a generation code amount for the motion vector difference in the method of Butter et al and Karczewicz et al so that the compression is more efficient.

Regarding claim 8, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 1. Butter et al further teach wherein the detecting further includes detecting an optimal motion vector based on a minimizing an absolute difference (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34, col. 8, lines 38-49). However they do not explicitly teach the optimal motion vector is detected based on a Rate Distortion optimization process. In the same field of endeavor, Park et al teach detecting the optimal motion vector based on a Rate Distortion optimization process (Eq. (2), Fig. 4, col. 4, lines 7-43). It is desirable to be efficient in compression (col. 2, lines 44-56 of Park et al). Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention, to use the method of Park et al to detect the optimal motion vector also depending on a quantizing scale function and a generation code amount for the motion vector difference in the method of Butter et al and Karczewicz et al so that the compression is more efficient.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Butter et al, in view of Karczewicz et al, further in view of Legall (5,761,398).

Regarding claim 9, Butter et al and Karczewicz et al teach a method of compensating motion prediction according to claim 1. Butter et al further teach wherein the detecting includes using different pixel-based sizes of the motion compensating blocks from a greater pixel-based size to a smaller pixel-based size, so as to size-reduce a motion vector search range each time a change is made (Figs. 5-8, col. 6, lines 3-23, col. 6, line 57-col. 7, line 10, col. 7, lines 13-34 and lines

50-54, more than one hierarchical search unit can be used, col. 8, lines 38-49). However they do not explicitly teach sequentially changing the pixel-based sizes of the motion compensating blocks from a greater pixel-based size to a smaller pixel-based size. They do teach using multiple hierarchical search units to increase the search window size (col. 8, lines 30-49). In the same field of endeavor, Legall teaches sequentially changing the pixel-based sizes of the motion compensating blocks from a greater pixel-based size to a smaller pixel-based size so as to size-reduce a motion vector search range each time a change is made (Fig. 4B, col. 10, lines 27-34 and lines 52-67). Using multiple hierarchical stages or levels of hierarchical search to further reduce a motion vector search range by changing from a greater pixel-based size to a smaller pixel based size is efficient in block matching and the result is predictable. It is desirable to have a robust motion estimation dataflow which maximizes computational power to satisfy real time encoding requirements and minimizes the amount of chip area consumed to implement it (col. 1, lines 47-60 of Butter). Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention, to use the method of Legall to sequentially changing the pixel-based sizes of the motion compensating blocks from a greater pixel-based size to a smaller pixel-based size to size reduce a motion vector search range in the method of Butter and Karczewicz et al so that compression is more efficiently performed in terms of computational power, speed and chip area consumed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuzhen Ge whose telephone number is 571-272 7636. The examiner can normally be reached on 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yuzhen Ge
Examiner
Art Unit 2624

/Yuzhen Ge/

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